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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,963	07/10/2001	William G. Sample	H0001394	9212

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,963

Applicant(s)

SAMPLE ET AL.

Examiner

Thjuan P. Knowlin

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on June 17, 2005 has been entered. Claim 1 has been amended. No claims have been cancelled. No claims have been added. Claims 1-72 are still pending in this application, with claims 1, 10, 19, 25, 31, 39, 48, 59, and 66 being independent.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-72 are rejected under 35 U.S.C. 102(e) as being anticipated by Ward (US 6,282,417).

4. In regards to claims 1, 10, 19, 24, 25, 31, 39, 58, 70, 71, and 72, Ward discloses a device (See Fig. 3 and radio 52), method, and decoder, comprising: a database (See Fig. 3 and ATC {air traffic control} database 64) of stored radio frequency identifiers and radio frequency information corresponding thereto; and a processor coupled to the database and operating one or more algorithms (e.g. logic) (See col. 7 lines 41-63) for comparing a decoded radio frequency identifier (See col. 12-13 lines 54-10) and one of the stored radio frequency identifiers in the database and for generating a display signal based on the comparison (See Fig. 2, Fig. 3, col. 9 lines 1-28, col. 9-10 lines 59-10, and col. 10 lines 24-32).

5. In regards to claims 2 and 32, Ward discloses the device and method, wherein the database of stored radio frequency identifiers is accessed as a function of a radio frequency signal and a position signal (See col. 10 lines 24-32).

6. In regards to claims 3 and 69, Ward discloses the device and method, further comprising a memory device (See Fig. 3 and CPU 56) having the database stored therein (See col. 10 lines 24-30).

7. In regards to claims 4 and 37, Ward discloses the device and method, wherein the one or more algorithms operated by processor includes one or more algorithms for generating the decoded radio frequency identifier by decoding a coded radio frequency identifier (See col. 7 lines 41-63).

8. In regards to claims 5, 14, 38, 43, 49, 50, 52, 53, 54, 55 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, and 68, Ward discloses the device, method, and decoder, wherein the coded radio frequency identifier is coded in Morse (See col. 5 lines 12-14 and col. 10 lines 11-23).

9. In regards to claims 6, 7, 8, 9, 13, 22, 23, 30, and 42, Ward discloses the device and method, wherein the display signal is one of a signal indicative of a correspondence and a divergence between the decoded radio frequency identifier and the stored radio frequency identifier (See col. 7 lines 41-63 and col. 9 lines 1-28).

10. In regards to claims 11, 12, 20, 21, and 40, Ward discloses the device, further comprising means for interrogating the storing means as a function of the predetermined radio frequency to select radio frequency information (See col. 9 lines 1-28 and col. 9-10 lines 59-10).

11. In regards to claims 15, 26, 27, 33, and 44, Ward discloses the device and method, further comprising means (See Fig. 3 and display 42) for displaying the selected radio frequency information (See col. 9 lines 10-28).

12. In regards to claims 16 and 45, Ward discloses the device and method, wherein the means for displaying the selected radio frequency information includes means for displaying one of the selected radio frequency information and warning information as a function of the comparison signal (See col. 9 lines 22-28).

13. In regards to claims 17, 29, 41, and 46, Ward discloses the device and method, wherein the means for interrogating the storing means as a function of a predetermined radio frequency to select one of the stored radio frequency identifiers includes means for interrogating the storing means as a function of a position signal (See col. 6 lines 46-67).

14. In regards to claims 18 and 47, Ward discloses the device and method, further comprising means for displaying the selected radio frequency information as a function of the comparison signal (See col. 13 lines 5-11).

15. In regards to claims 28, 34, 35, and 36, Ward discloses the method, wherein altering the displayed database information includes altering one or more of a color and a text of the displayed database information (See col. 11 lines 51-62).

16. In regards to claim 51, Ward discloses the decoder, further comprising: a correlator circuit receiving an output of the Morse symbol decoder and a predicted Morse code radio frequency identifier, the correlator circuit structured to correlate the output of the Morse symbol decoder with the predicted Morse code radio frequency

identifier to determine whether the detected VHF radio frequency signal identifier corresponds to the predicted identifier (See col. 12-13 lines 54-11).

Response to Arguments

17. Applicant's arguments filed 06/17/05 have been fully considered but they are not persuasive. Applicants argue that Ward fails to disclose "comparing a decode radio frequency identifier and one of the stored radio frequency identifiers in the database and for generating a display signal based on the comparison". Applicant states that Ward compares positional information with a database listing positional information on selected radio frequencies, but nowhere in Ward is a comparison made of a decoded radio frequency identifiers with radio frequency identifiers stored in a database.

Examiner respectfully disagrees with this argument. Ward does disclose comparing a decode radio frequency identifier (See col. 12-13 lines 54-10) and one of the stored radio frequency identifiers in the database and for generating a display signal based on the comparison (See col. 9 lines 1-28, col. 9-10 lines 59-10, and col. 10 lines 24-32).

Applicants further argue that never is it mentioned in Ward that the Morse code is decoded by a decoder. Ward, however, does disclose that the Morse code is decoded by a decoder (See col. 5 lines 12-14, col. 10 lines 11-23, and col. 12-13 lines 54-11).

Applicants state that Ward does not disclose "a means for converting a detected Morse radio frequency signal having a coded identifier into an in-phase signal and a quadrature-phase signal and reducing the sampling frequency to a predetermined level". Ward, however, does disclose a means for converting a detected Morse radio

frequency signal having a coded identifier into an in-phase signal and a quadrature-phase signal and reducing the sampling frequency to a predetermined level (See col. 5 lines 12-14, col. 10 lines 11-23, and col. 12-13 lines 54-11).

Conclusion

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

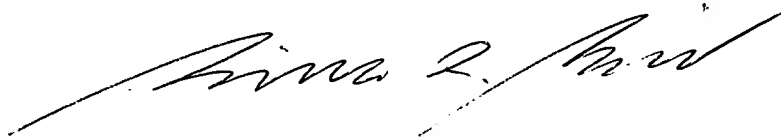
20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin

A handwritten signature in black ink, appearing to read "Bing Q. Bui", written in a cursive style.

**BING Q. BUI
PRIMARY EXAMINER**